

Corres. and Mail
BOX AF

RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600

AF) EFW
(644)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: WALLACH=22A

In re Application of:)	Conf. No.: 6865
)	
David WALLACH et al)	Art Unit: 1644
)	
Appln. No.: 09/927,458)	Examiner: Phuong N. Huynh
)	
Filed: August 13, 2001)	Washington, D.C.
)	
For: MODULATORS OF FUNCTION OF)	October 14, 2004
RECEPTORS OF THE ...)	
)	

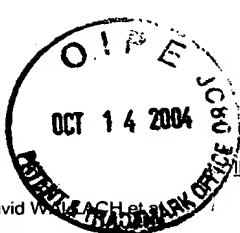
RESPONSE

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

The present communication is responsive to the official action of June 14, 2004. Claims 13-16, 18-20 and 27-29 presently appear in this case. Claims 18-20 and 27-29 have been withdrawn from consideration. Claim 14 has been indicated to be allowable if rewritten in independent form. The remaining claims have been rejected. The official action of June 14, 2004, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to an isolated polypeptide which is capable of binding to RIP, which



RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: David WALLACH et al.
Application No.: 09/927,458 Conf. No.6865
Filed: August 13, 2001
For: MODULATORS OF FUNCTION OF RECEPTORS OF THE ...

Art Unit: 1644
Examiner: Phuong N. Huynh
Washington, D.C.
Atty.'s Docket: WALLACH=22A
Date: October 14, 2004

THE COMMISSIONER OF PATENTS
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a [XX] Response [] _____
in the above-identified application.

- [] -Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
[] No additional fee is required.
[XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 10	MINUS	** 27	0
INDEP.	* 2	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 44	\$
+ 150	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 88	\$
+ 300	\$
TOTAL	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

- [XX] Conditional Petition for Extension of Time
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 55.00
[] Second - \$ 215.00
[] Third - \$ 490.00
[] Fourth - \$ 765.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[XX] First - \$ 110.00
[] Second - \$ 430.00
[] Third - \$ 980.00
[] Fourth - \$ 1530.00
Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

- [] Please charge my Deposit Account No. 02-4035 in the amount of \$.

- [XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$110.00 .

- [] A check in the amount of \$ is attached (check no.).

- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

10/15/2004 FFANAEIA 00000059 09927458

01 FC:1251

110.00 OP

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Roger L. Browdy
Registration No. 25,618